

SCANNED  
DATE: 3/15/04  
BY: KOM

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,

Cr. No. 04-10032 GAO

v.

FEDERAL BUREAU OF INVESTIGATION  
BERT B. COLLINGS  
U.S. MAGISTRATE JUDGE1. VICTOR DELGADO,  
AKA "BITIN", and  
2. JOAN REYES SANTANA,  
AKA "FLAKO"

MAR 16 2004

UNITED STATES DISTRICT COURT  
BOSTON, MASSACHUSETTSJOINT INITIAL STATUS REPORT

The United States of America and the defendants, Victor Delgado and Joan Reyes-Santana, by their respective undersigned counsel, submit this joint status report pursuant to Local Rule 116.5(A).

1. Local Rule 116.3 Timing Requirements

At this time the parties do not seek relief from the timing requirements imposed by L.R. 116.3.

2. Expert Discovery

The government anticipates that, unless there is a stipulation regarding the controlled substances and firearm involved in this case, it will offer expert testimony regarding the narcotics and firearm seized in this case. The defendants do not presently request expert discovery, but reserves its right to seek such discovery pending disclosure of trial witnesses by the government.

3. Additional Discovery

With the exception of audio and video recordings (which, although available to defense counsel, have not yet been

provided), all Rule 16 and automatic discovery materials, have been provided or made available to defendants' counsel. All audio and video recordings will be provided or made available to defendants' counsel by next week. Defendants are in the process of reviewing discovery and reserves their rights to request additional discovery if appropriate.

**4. Motion Date**

The government requests that all motions be filed on or before April 23, 2004, and any responses be served by May 7, 2004.

**5. Speedy Trial Act**

The parties have conferred on the periods excludable from all Speedy Trial Act calculations and believe that the following periods are excludable:

2/10/04-2/10/04	Arraignment
2/10/04-3/09/04	Excludable delay pursuant to Local Rule 112.2(A)(2) & 18 U.S.C. § 3161(h)(8)(A)
3/12/04-date of final status	Excludable delay pursuant to 18 U.S.C. §§ 3161(h)(1)(F) and 8(b), and Local Rule 112.2(A)(2)

As of the Final Status Conference, 2 days will have been counted and 68 days will remain under the Speedy Trial Act.

**6. Anticipated Trial**

It is too early to tell whether a trial will be needed in this matter. The United States estimates that a trial would last approximately 5 days.

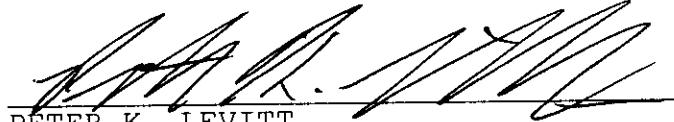
7. Final Status Conference

The government requests that a Final Status Conference be scheduled for on or about April 23, 2004, or as soon thereafter as is convenient for the Court. Defendant Delgado requests that this be an interim status conference.

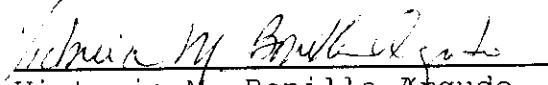
Respectfully submitted,

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March 16, 2004